BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL, MUMBAI

M.A.C.P. NO.583 OF 2017

Mr. Sanjay Ganpat Mudalkar Vs.
OLA Fleet Technologies Pvt. Ltd. & Anr.

ORDER BELOW Ex.2

1. Petitioner claims interim compensation of Rs.25,000/- u/s.140 of Motor Vehicles Act, 1988 (M. V. Act), in the matter of claim for compensation due to causing injury to petitioner namely Mr. Sanjay Ganpat Mudalkar (shortly called as 'Injured') in vehicular accident dtd.07.02.2017 involving vehicle–Car bearing No.MH-04-HN-2799.

2. Opposite party remain exparte. Insurer has objected the claim of applicant by filing Written Statement (Ex.17).

3. Perused application along with relevant documents. Heard both the sides.

4. Having considered the contentions of the parties and documents, FIR, Report, Spot Panchnama, Insurance Policy, Medical Papers and Disability Certificate, etc. it clearly indicates that aforesaid offending vehicle is involved in the accident and the injuries mentioned in aforesaid disability certificate are sustained to the injured due to said vehicular accident in the matter.

5. Having considered aforesaid discussion, it is said that there is a prima facie case to the applicant to get interim relief of compensation u/s.140 of the M. V. Act. In the result, application deserves to be allowed by passing following order.

ORDER

1. Application Ex.2 is allowed.

2. Opponents shall pay compensation of Rs.25,000/- (Rupees Twenty Five Thousand Only) i.e. NFL u/s.140 of the M. V. Act within one month from the date of the order, in default, the applicant is entitled to get interest @ 7.5% p.a. on the said amount from the date of order till realization of the amount by A/c payee cheque.

3. On receipt of the cheque by the office, the same be delivered to the applicant on due verification and on recovery of deficit court fees if any.

(K. B. Ippar)
Member, C.R.No.6,
MACT, Mumbai

Date: 24.07.2018
GDE